

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

GEORGIA FERRELL, as Administratrix of
the Estate of JONATHAN A.P. FERRELL,

Plaintiff,

vs.

CITY OF CHARLOTTE; COUNTY OF
MECKLENBURG; RANDALL W.
KERRICK, both individually and in his official
capacity as a law enforcement officer with the
Charlotte-Mecklenburg Police Department;
and RODNEY MONROE, in his official
capacity as a law enforcement officer with the
Charlotte-Mecklenburg Police Department,

Defendants.

CIVIL ACTION NO.: 3:14-cv-47

ORDER

THIS MATTER is before the Court on Defendants' Motion to Stay (Doc. No. 4), Plaintiff's Response (Doc. No. 10), and Defendants' Reply (Doc. No. 14). The Court conducted a hearing on this matter on May 13, 2014. For the reasons stated at the hearing, the Court will **GRANT** in part and **DENY** in part Defendants' Motion. All proceedings in this case are stayed for sixty (60) days from the entry of this order with the exception that Plaintiff may take the depositions of the two officers other than Officer Kerrick who were present at the scene on the evening in question. During the sixty-day period, the parties are directed to craft a discovery plan which takes into account the directions of the Court offered at the hearing, namely that Officer Kerrick may not be deposed or otherwise called upon to invoke his Fifth Amendment rights until the completion of his criminal trial. The parties are further directed to notify the Court once this

plan has been completed; the Court will thereafter reconvene the parties to discuss its implementation.

SO ORDERED.



Graham C. Mullen
United States District Judge

